

**115 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-3061-2021 (O&M)

Date of decision: 01.12.2021

Dinesh and others

...Petitioners

Versus

Attar Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Keshav Pratap Singh, Advocate for the petitioners

ANIL KSHETARPAL, J (Oral)

The hearing of the case is being held through video conferencing on account of restricted functioning of the Courts.

Learned counsel representing the petitioners, after arguing for some time, prays that the learned First Appellate Court while deciding the miscellaneous application has made certain observations and imposed costs on the petitioners. He submits that the suit is still pending and such observations may prejudice the case of the petitioners. It is well settled that any observation made by the court while deciding an interim application shall not affect the result of the suit.

Since the suit is pending, therefore, the order passed by the learned First Appellate Court with respect to the imposition of costs is set aside. However, since this order has been passed without issuing notice to the plaintiffs (respondents herein), therefore, they shall be at liberty to file an application for recall thereof.

Disposed of.

01.12.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)
JUDGE**